

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CHARLES LAMONT NORWOOD,

Petitioner,

v.

ORDER

04-cv-813-bbc

GARY HAMBLIN;
SGT. LURQUIN, Grievance Dept.;
OFFICER S.J. NINNERMAN;
OFFICER D. EHRLER;
OFFICER J.G. DANIELS; and
OFFICER WALKER,,

Respondents.

CHARLES LAMONT NORWOOD,

Petitioner,

v.

07-cv-446-bbc

CAPT. RADTKE, C.O. GROAK and
OTHERS,

Respondents.

CHARLES LAMONT NORWOOD,

Petitioner,

v.

07-cv-624-bbc

CAPTAIN RADTKE, Correctional Officer at C.C.I.;
GREG GRAMS, Warden at C.C.I.;
AMY MILLARD, Complaint Examiner;
TOM GOZINSKE, Complaint Examiner;
AMY SMITH, Office of Secretary at Dept. of Corrections; and
Psychologist ANDREA NELSON,

Respondents.

CHARLES LAMONT NORWOOD,

Petitioner,

v.

08-cv-446-bbc

DON STRAHOTA, Security Director,
SERGEANTS HILBERT and PHILLIPS,
WARDEN MIKE THURMER,
CAPT. O'DONOVAN,
JAMES MUENCHOW, ICE,
MICHAEL MEISNER, ICE,
THERESA MURPHY, ICE,

Respondents.

On April 27, 2009, petitioner Charles Norwood filed a letter addressing the collection of filing fees in these closed cases. In his letter, petitioner asks the court to allow him to make monthly payments for one case at a time instead of collecting “all 4 of the filing fees all at once.” I will construe petitioner’s letter as a motion to waive or reduce his monthly payments of the unpaid balance of his filing fees. The motion must be denied.

Under the Prison Litigation Reform Act, an inmate who files a lawsuit in federal court under the in forma pauperis statute must pay the statutory filing fee, first by making an initial partial payment and then by sending the remainder of the fee to the court in installments of 20% of the preceding month’s income in accordance with 28 U.S.C. § 1915(b)(2). If the prisoner then files additional complaints or appeals, the amount owed increases as well. Newlin v. Helman, 123 F.3d 429, 436 (7th Cir. 1997), rev'd on other grounds by Lee v. Clinton, 209 F.3d 1025 (7th Cir. 2000) and Walker v. O'Brien, 216 F.3d 626 (7th Cir. 2000). Using the formula described above, petitioner is currently required to pay 80% of his monthly income until the remaining balances for each of his cases are paid in full. Court records reflect that petitioner has an outstanding balance of \$1,197.11.

In his motion, petitioner says prison officials are taking 100% of his income to pay the filing fees he owes for the above cases and for “other fines.” He says that friends and family members are not willing to send him any money and he cannot afford necessary items such as a toothbrush. Although I appreciate petitioner’s frustrations with being unable to receive

gift money or purchase hygiene products, this court is bound by the provisions of the Prison Litigation Reform Act. I have no discretion to modify the method in which the fees for filing these cases are collected. Therefore, I must deny petitioner's motion to waive or reduce his monthly payments.

ORDER

IT IS ORDERED that petitioner's motion to waive or reduce his monthly payments of the unpaid balance of his filing fees is DENIED.

Entered this 5th day of May, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge